

REMARKS

The applicant respectfully requests reconsideration in view of the amendment and the following remarks. Support for newly added claims 12-27 can be found in the original claims 1-11.

Claims 4-11 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot be dependent on another multiple dependent claim. Claims 1-3 were rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Nilsson (US 5,612,264) ("Nilsson"). The applicant respectfully traverses these rejections.

Rejection of claims 4-11

Claims 4-11 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot be dependent on another multiple dependent claim. The applicant has rewritten these claims and deleted the multiple dependencies.

35 U.S.C. 112 Rejection

Claims 1-3 were rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant has cancelled these claims and believes that the new claims are in compliance with 35 U.S.C. 112, second paragraph. For the above reasons, this rejection should be withdrawn.

Rejection under 35 USC 102

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Nilsson. It appears that the Examiner has not correctly understood the invention. The present invention of claim 1 requires:

A tungsten carbide powder which comprises powder particles which have a core of cast tungsten carbide and a shell of tungsten monocarbide.

The particles of cast tungsten carbide (which is a mixture of tungsten carbide and ditungsten carbide, see page 1, lines 14 to 15) are preferably heated in the presence of a carbon source (like graphite or carbon black) or dioxide, see claims 7 and 8, wherein the carbon source is preferably mixed with the cast tungsten carbide powder. Also, carbon monoxide and carbon dioxide might serve as carbon source, see page 6, lines 6 to 8 as the carbon source.

A mere heat treatment is not sufficient to cause this effect. The heat treatment will sinter the tungsten carbide, but not change its chemical identity at all.

As a result, a dense layer of tungsten (mono)carbide, WC, is formed on the outer surface of the particle is formed that encloses the cast tungsten carbide in the center thus forming a core-shell particle wherein the cast tungsten carbide in the center is tungsten-enriched (i.e. carbon poor), whereas the shell consists of tungsten monocarbide and thus is carbon-enriched.

In contrast thereto, Nilsson discloses an inverse way of processing: a shaped article made of tungsten carbide that is mixed with a carbon lowering material (a carbon getter), see e.g. claim 1 of Nilsson, and then carrying out the heat treatment.

In this way, even if one would expect to obtain powder particles in contrast to the shaped articles as obtained in Nilsson, a core-shell particle with a core of tungsten carbide (i.e. carbon-enriched core) and a shell of cast tungsten carbide (i.e. carbon poor shell) would be obtained.

It is thus easy to understand that the present invention teaches a completely different process resulting in a completely different product. Consequently, the applicant believes that the present invention is neither taught nor suggested in Nilsson. For the above reasons, this rejection should be withdrawn. In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13077-00116-US from which the undersigned is authorized to draw.

Dated: January 3, 2008

Respectfully submitted,

Electronic signature: /Ashley I. Pezzner/
Ashley I. Pezzner
Registration No.: 35,646
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P. O. Box 2207
Wilmington, Delaware 19899-2207
(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicant